IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7890 OF 2005
WITH
CRIMINAL APPLICATION NO.7891 OF 2005
WITH
CRIMINAL APPLICATION NO.7892 OF 2005
WITH
CRIMINAL APPLICATION NO.7893 OF 2005

Chandrakant Dhondiba Malusare. ..Applicant.

V/s.

M/s.Rupesh Trading Co. & Anr. ..Respondents.

Mr.Vinay K.Tiwari i/b Mr.Parvez Ubharay for applicant.

Ms.G.P.Mulekar, APP for State in CRA No.7890/05, 7891/05.

Mr.Rajesh More, APP for State in CRA No.7892/05.

Mr.Y.S.Shinde, APP for State in CRA No.7893/05.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 12, 2005.

P.C. :

1. Heard. The grounds raised before this Court can be effectively answered by the Revisional Court.

2. As alternative efficacious remedy is available to the petitioner by way of revision before the Sessions Court in view of the decision of this Court in the case of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778,** no interference is warranted.

3. These petitions are disposed of with liberty to take recourse to remedy of revision, if so advised. All questions are left open.

4. The petitioner to file such Revision Application within four weeks from today. Till such time, no precipitative action be taken against the Petitioner. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

5. In case, there is delay in filing Revision Application, Court will take into account the fact that the petitioner had first approached this Court, which period may be excused in computing delay.

6. Petitions disposed of on the above terms.